

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RICHARD KAPLAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 13-3023 (JEI)

ORDER

For the reasons set forth in the Opinion filed herewith,

IT IS on this 24th day of July, 2013,

ORDERED that the Clerk of the Court shall amend the Docket to reflect that Petitioner is confined at the Federal Correctional Institution at Otisville, New York; and it is further

ORDERED that the Petition for writ of error coram nobis is DISMISSED WITHOUT PREJUDICE; and it is further

ORDERED that the Clerk shall docket in this action a copy of the Request for leave to amend the Petition, presently docketed as Docket Entry No. 25 in the related criminal action, United States v. Kaplan, Crim. No. 07-0329 (D.N.J.); and it is further

ORDERED that the Request for leave to amend the Petition is DENIED; and it is further

ORDERED that no certificate of appealability shall issue; and it is further

ORDERED that the Clerk of the Court shall close the Court's file in this matter.

s/ Joseph E. Irenas
Joseph E. Irenas
United States District Judge